

Mr. Chairman & Members:

Thank you for your invitation to address the Committee on this most important topic.

First, I am required by Texas state statute to advise the committee that I cannot testify either for or against a legislative proposal or program. I can only testify as a resource witness and in that capacity I am pleased to provide you with an overview of our Texas Border Safety Inspection Program.

Our Texas Border Safety Inspection Program is operated to provide an effective and efficient commercial vehicle enforcement program that:

- Ensures public safety and security;
- Prevents the premature and unnecessary deterioration of our state highway infrastructure due to overweight vehicles; and
- Creates an environment that promotes vital and safe commerce in Texas.

Our commercial vehicle enforcement program ensures that only competent drivers are operating safe vehicles in compliance with our state statutes. Our program also encourages the trucking industry to take a greater participatory role in resolving transportation issues.

It is important to note that while our goal at the Texas - Mexico is to inspect the highest number of trucks as possible, we also strive to not impede legal, compliant vehicles crossing the border.

The following reasons are what would cause a commercial motor vehicle to be detained at our Border Safety Inspection Facilities:

- Visually detected safety defects
- Failure of the weigh-motion screening
- Not displaying a valid CVSA decal; or
- Any other obvious violation of state statute.

Our border inspection personnel visually screen 100% of the vehicles entering our facilities; screen the weight via weigh-in-motion scales of 100% of the vehicles; and then generally conduct a more thorough inspection of between 3 to 5% of the vehicles crossing the border.

In 2006, U. S. Customs and Border Protection statistics indicated that 3,247,525 commercial motor vehicles crossed the Texas - Mexico border. During this same time period, the Texas Department of Public Safety (DPS) performed a Level I, II, or III inspection on a total of 101,295 commercial vehicles at the border. DPS inspections resulted in 23,651 vehicles (23.35%) being placed out-of-service and a total of 649 (0.64%) drivers being placed out-of-service. During the first quarter of Federal Fiscal Year 2007, the DPS has inspected 25,481 commercial vehicles crossing the border. These inspections have resulted in 5,862 vehicles (23%) and 144 drivers (0.57%) being placed out-of-service respectively. Please note that these out-of-service rates are comparable to the national out-of-service rates for commercial vehicles and represent a decrease from the near 100% Mexican commercial vehicle out-of-service rates that were encountered when our program first began in 1995. This out-of-service decrease is attributed to an aggressive, dedicated enforcement presence at the border.

At present, DPS inspection personnel staff the 9 largest ports-of-entry on a daily basis, with our inspection facilities being open the same hours as the U.S. Customs and Border Protection import lots. Our border inspection staff numbers 310.

The Texas Department of Public Safety remains committed to assisting the Federal Motor Carrier Safety Administration in meeting the requirements of Section 350 of the Fiscal Year 2002 U.S. Department of Transportation Appropriations Act which provides prescriptive direction regarding enforcement activities related to commercial motor vehicles engaged in cross border commerce. Our working relationship with the FMCSA Texas Division staff is outstanding. It is only through the support of the FMCSA that our border inspection program has grown to its present level.

Thank you again for the opportunity to address the Committee and I will be pleased to answer any specific questions the Committee may have on our Texas Border Inspection Program.

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